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10/519,537	09/20/2005	Geert-Hendrik Koops	019219-025	2591

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BUCHANAN, INGERSOLL & ROONEY PC  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
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SYKES, ALTREV C

ART UNIT	PAPER NUMBER
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1786

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10/04/2010

ELECTRONIC

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***Response to Arguments and Amendments***

Applicant argues that the limitation of "along an exterior medium" was meant to imply that the controlled flow mixture was *parallel* to the nascent fiber. Examiner notes that Howard discloses any conventional extrusion device may be used to direct a hot gas stream against the extrudate. (See Col 5, lines 45-49) Howard especially makes note of the spinneret design described in US 3,947,537 which shows gas jets 11 and 12 on *either side* of the extrudate.

Applicant argues WO 93/12868 suggests that the use of a triple layer spinneret is synonymous with a two-step phase inversion process, and parallel flow is achieved by using such a triple layer spinneret. Examiner notes that in the last mailed office action it was pointed out that a prima facie case of obviousness exists for one of ordinary skill in the art to utilize a conventionally known spinneret device such as the triple layer spinneret taught by Koops to produce the fibers as disclosed by Howard. Regarding the statement that one skilled in the art would understand that the term "along" as used in the present application means "parallel to", examiner notes that applicant has only strengthened the position of examiner that the hot gas stream *against* the extrudate as taught by Howard would *inherently* provide the "parallel to" relationship.

With respect to the amendment to claim 1, examiner notes that applicant has failed to overcome the Howard reference since the hot gas directed at the fiber is a nonsolvent to the polymeric material. Examiner notes that it would require an additional analysis of the prior art to determine precisely when pores are formed during the production of a particle-filled polymeric fiber

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through a spinneret. Further, examiner notes that claim 1 recites “thus adjusting the porosity and pore size of the outer wall of the nascent fiber”. As such, the limitation is written as an inherently subsequent reaction to utilizing a spinneret as recited in step (i).

Applicant argues the Howard hot gas stream is directed at an angle. As discussed in the interview of August 16, 2010 direction has two vectors. As such, while the hot gas stream may be discussed in the reference as being at an angle, one of ordinary skill in the art would understand that a stream of air directed at a moving fiber being extruded would inherently follow the natural vectors of direction to flow along that of the fiber. With respect to applicant’s argument against attenuation, examiner notes that the process is not required in Howard, is not limited to mechanical tension, and is not limited to being done subsequent fiber formation. Examiner notes that the remaining arguments of applicant repeat that addressed in the last mailed office action and therefore will not be addressed herein.

Finally, applicant has added claim 37 which corresponds to previous claim 9. Patentability cannot be determined for an unentered claim amendment.

/D. Lawrence Tarazano/

Supervisory Patent Examiner, Art Unit 1786